

REMARKS

Claims 1, 3-7 and 9-13 are pending in this application. By this Amendment, claims 4 and 10 are amended. Support for the amendments to claims 4 and 10 can be found in claims 4 and 10 as originally filed. Thus, no new matter is added.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Naff in the February 7 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

During the February 7 personal interview, the Examiner indicated that the amendments and arguments set forth in the December 22, 2004 Amendment appeared to distinguish over the art of record. However, the Examiner asserted that issues remained under 35 U.S.C. §112, second paragraph, as to claims 4 and 10, with respect to the terms "inorganic pollutants that form oil materials" and "organic pollutants that form oil materials," and as to claims 6 and 12, with respect to the term "water bloom."

While Applicant does not necessarily agree with the rejections of claims 4 and 10, Applicant respectfully submits that the claims have been amended to remove the terms "inorganic pollutants that form oil materials" and "organic pollutants that form oil materials" and to more clearly set forth the subject matter therein.

With respect to the term "water bloom" in claims 6 and 12, Applicant respectfully submits that one of ordinary skill in the art would have understood this term to have its ordinary meaning. The ordinary meaning of "water bloom" can be found in the term's dictionary definition: "a growth of algae at or near the surface of a body of water, as a pond." See WEBSTER'S II NEW COLLEGE DICTIONARY 1247 (2001) (copy attached). Thus, Applicant respectfully submits that claims 6 and 12 are not indefinite at least because one of ordinary skill in the art would have understood the term "water bloom" in the context of environmental remediation methods, such as those set forth in claims 6 and 12.

Accordingly, reconsideration and withdrawal of the rejections under §112, second paragraph, are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JMS/jms

Attachment:

WEBSTER'S II NEW COLLEGE DICTIONARY 1247 (2001)

Date: February 18, 2005

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1247

waspish • water chestnut

white Protestant whose ancestors were Anglo-Saxon. — **Wasp'ish** *adj.* — **Wasp'y** *adj.*

waspy (wɒs'pɪʃ, wɒ'spɪʃ) *adj.* 1. Relating to or like a wasp. 2. Easily irritated. — **waspy'ish-ly** *adv.* — **waspy'ish-ness** *n.*

waspy waist *n.* A very slender or tightly corseted waist. — **waspy-waist'ed** (wɒs'pɪ wɒs'tɪd, wɒs'pɪ-) *adj.*

waspy (wɒs'pɪ, wɒ'spɪ) *adj.* -i-er, -i-est. Characteristic of a wasp.

was-sail (wɒs'sɪl, wɒ-sɪl') *n.* [ME *wassail*, contraction of *was heil*, be healthy < ON *ves heill* : *ves*, imper. sing. of *vera*, to be + *heil*, healthy.] 1. a. A salutation or toast once given in drinking someone's health or as an expression of good will at a festivity. b. The drink used in such toasting, commonly ale or wine spiced with roasted apples and sugar. 2. A festivity marked by much drinking. — *v.* -sailed, -sailing, -sails. — *vt.* To drink to the health of : TOAST. — *vi.* To engage in or drink a wassail. — **was'sail-er** *n.*

Was-ser-mann reaction (wə'sər-mən) *n.* A complement-fixing reaction to the Wassermann test.

Wassermann test *n.* [After August von Wassermann (1866–1925), its inventor.] A diagnostic test for syphilis that involves the fixation or inactivation of a complement by an antibody in a blood serum sample.

wast (wɒst, wɒst) *v.* [was + (-)EST-] Archaic. 2nd person sing. p.t. of *HE*.

wast-age (wə'stɪdʒ) *n.* 1. Loss by wear, deterioration, or destruction. 2. "Disease and desertion still caused much greater wastage than battle" — Theodore Ropp. 3. The gradual process of wasting. 4. Something wasted or lost by wear.

waste (wɒst) *v.* **wast-ed**, **wast-ing**, **wastes**. [ME *wasten* < ON *f. waster* < Lat. *vastare*, to make empty.] — *vt.* 1. To use, consume, or expend carelessly or thoughtlessly. 2. To cause to lose energy, strength, or vigor < Leukemia wasted the child's body. > 3. To fail to take advantage of or use for profit : LOSE < waste a golden opportunity. > 4. a. To destroy completely. b. Slang. To kill : murder. — *vi.* 1. To lose energy, strength, or vigor. 2. To pass without being put to use. — *The hours are wasting.* — **waste away**. To grow gradually weaker, thinner, or more feeble. — *n.* 1. The act of wasting or the state of being wasted. 2. An uninhabited or uncultivated place or region. 3. A devastated or destroyed region, town, or building : RUIN. 4. a. A worthless or useless by-product. b. Something, as steam, that escapes without being used. 5. Garbage : trash. 6. The undigested residue of food eliminated from the body. — *adj.* 1. Considered to be or discarded as worthless or useless < waste materials > 2. Used as a conveyance or container for refuse < a waste barrel > 3. Excreted from the body as unusable. — **lay waste**. To ravage : destroy. — **waste one's breath**. To gain nothing by speaking.

* **syns**: WASTE, CONSUME, DEVOUR, EXPEND, SQUANDER *v.* *core meaning* : to use up foolishly or needlessly <wasted our natural resources> <a car that wastes gas> **ants**: CONSERVE, SAVE

waste-bas-ket (wɒst'bɒs'kɪt) *n.* A lidless container for rubbish.

wast-ed (wɒstɪd) *adj.* 1. Not profitably used or maintained. 2. Needless or superfluous <wasted admonitions> 3. Ravaged : deteriorated. 4. Physically haggard, as from disease. 5. Slang. STONED 2. 6. Archaic. Elapsed.

waste-ful (wɒst'fʊl) *adj.* Marked by or given to waste : EXTRA-VAGANT. — **waste-ful-ly** *adv.* — **waste-ful-ness** *n.*

waste-land (wɒst'lænd) *n.* 1. Uncultivated or desolate country. 2. A place, era, or aspect of life regarded as humanistically, spiritually, or culturally barren.

waste-pa-per (wɒst'pə'pər) *n.* Discarded paper.

wast-er (wɒs'tər) *n.* 1. a. One that wastes. b. A spendthrift or wastrel. 2. One that lays waste : DESTROYER.

wast-ing (wɒs'tɪŋ) *adj.* 1. Gradually deteriorating : DECLINING. 2. Lacking the strength, energy, or substance of the body : EMACIATING. — **wast-ing-ly** *adv.*

wast-rel (wɒs'rel) *n.* [< WASTE.] 1. One who wastes, esp. one who wastes money. 2. An idler or loafer.

wa-tap (wə'tɒp, wə-) also **wa-ta-pe** (-tə'pɛ) *n.* [Cree *watapiy*.] A stringy thread made from the roots of various conifers and used by certain American Indians in sewing and weaving.

watch (wɒtʃ) *v.* **watched**, **watch-ing**, **watch-es**. [ME *wachen* OE *wæccan*, to watch, be awake.] — *vi.* 1. To look or observe attentively or carefully. 2. To look and wait expectantly <watch for a chance to join in> 3. To act as a spectator : look on. 4. To stay awake at night while serving as a guard, sentinel, or watchman. 5. To keep vigil as a religious or devotional exercise. — *vt.* 1. To look at or observe continuously or carefully. 2. To keep a watchful eye on : GUARD. 3. To observe the course of mentally <watch the survey results> 4. To tend (e.g., a flock). — **watch out**. To be careful or on the alert. — **watch over**. To be in charge of. — *n.* 1. The act or process of keeping awake or mentally alert. 2. A part of the night. 3. A period of close observation, often in order to discover something <a watch during the experiment> 4. A person or group of persons serving, esp. at night, to guard or protect. 5. The post or period of duty of a guard, sentinel, or watchman. 6. A small portable timepiece, esp. one worn

on the wrist or carried in the pocket. 7. a. A period of wakefulness, esp. one observed as a religious or devotional vigil. b. WAKE! 1. 8. *Naut.* a. Any of the periods of time into which the day aboard ship is divided and during which a part of the crew is assigned to duty. b. The members of a ship's crew on duty during a specific watch. c. A marine chronometer. 9. A flock of nightingales. — **watch it**. To be careful <Watch it when you cross the intersection.> — **watch (one's) step**. To act or go cautiously.

* **syns**: WATCH, EYE, OBSERVE, SCRUTINIZE *v.* *core meaning* : to look at attentively or warily <watched the magician do the trick> <watched the prisoners while they were exercising>

watch cap *n.* A small woolen cap of dark blue worn for cold-weather duty by naval enlisted personnel.

watch-case (wɒtʃ'keɪs) *n.* The casing for a watch mechanism.

watch-dog (wɒtʃ'dɒg, -dɒg') *n.* 1. A dog trained to guard property. 2. A guardian or protector against waste, loss, or illegal practices.

watch-er (wɒtʃ'ər) *n.* 1. One that watches. 2. One keeping vigil, as at a sick person's bedside.

watch-eye (wɒtʃ'ɪ) *n.* A walleye, esp. of a dog.

watch fire *n.* A fire kept burning at night, as for the use of a watchman or for a signal.

watch-ful (wɒtʃ'fʊl) *adj.* 1. Observant or vigilant : ALERT. 2. Archaic. Not sleeping. — **watch-ful-ly** *adv.* — **watch-ful-ness** *n.*

watch glass *n.* A shallow glass dish used as a beaker cover or evaporating surface.

watch-mak-er (wɒtʃ'mə'kər) *n.* A maker or repairer of watches. — **watch'mak'ing** *n.*

watch-man (wɒtʃ'mæn) *n.* One who keeps watch or guards.

watch night *n.* 1. New Year's Eve. 2. A religious service held on New Year's Eve.

watch-tow-er (wɒtʃ'təu'ər) *n.* An observation tower upon which a guard or lookout is stationed to keep watch.

watch-word (wɒtʃ'wɜrd') *n.* 1. A prearranged reply to a challenge, as from a sentry : PASSWORD. 2. A rallying cry : SLOGAN.

wa-ter (wɒ'tər, wɒt'ər) *n.* [ME < OE *water*.] 1. A clear, colorless, nearly odorless and tasteless liquid, H₂O, the most widely used of all solvents and essential for most plant and animal life. 2. A form of water, as rain. 3. A body of water, as a sea, lake, river, or stream. 4. Any of the liquids passed out of the body, as urine, perspiration, or tears. 5. The amniotic fluid surrounding the fetus in the uterus. 6. An aqueous solution of a substance, esp. a gas <ammonia water> 7. A wavy finish or sheen, as of a fabric. 8. a. Valuation of the assets of a business firm beyond their real value. b. Stock issued in excess of paid-in capital. 9. a. Clarity and luster of a gem. b. Degree or quality <of the first water> — *v.* -tered, -ter-ing, -ters. — *vt.* 1. To make wet by pouring water upon. 2. a. To give drinking water to. b. To lead (an animal) to drinking water. 3. To give a wavy finish or sheen to the surface of (silk, linen, or metal). 4. To increase (the number of shares of stock) without increasing the value of the assets represented. 5. To irrigate (land). — *vi.* 1. To produce or discharge fluid, as from the eyes. 2. To salivate in anticipation of food. 3. To take on a supply of water, as a ship. 4. To drink water, as an animal. — **above water**. Out of trouble. — **hold water**. To be logical or consistent <Your explanation doesn't hold water.> — **in deep water**. In great difficulty. — **make (one's) mouth water**. To cause to anticipate with relish. — **water down**. To dilute or reduce the strength or effectiveness of. — **wa'ter-er** *n.*

wa-ter-age (wɒ'tər-ɪdʒ, wɒt'ər-) *n.* Chiefly Brit. 1. Movement of goods or merchandise by water. 2. The fee paid for waterage.

water ballet *n.* The art of synchronized swimming.

Water Bearer *n.* Aquarius.

water bed *n.* A bed with a mattress made of a tough plastic filled with water.

water beetle *n.* Any of various aquatic beetles, esp. of the family Dytiscidae, with a smooth, oval body and flattened hind legs adapted for swimming.

water bird *n.* A wading or swimming bird.

water biscuit *n.* A biscuit made of flour and water.

water blister *n.* A blister having a nonpurulent watery content.

water bloom *n.* A growth of algae at or near the surface of a body of water, as a pond.

water boatman *n.* Any of various aquatic insects of the family Corixidae, with long oarlike hind legs adapted for swimming.

wa-ter-borne (wɒ'tər-bɔrn', -bɔrn', wɒt'ər-) *adj.* 1. Floating on or supported by water : AFLOAT. 2. Transported by water, as freight. 3. Transmitted in water, as a disease germ.

water boy *n.* One who keeps a group, as a football team, supplied with drinking water.

wa-ter-buck (wɒ'tər-bʊk', wɒt'ər-) *n.* An African antelope of the genus *Kobus*, having curved, ridged horns and frequenting bodies of water or swamps.

water buffalo *n.* A large, often domesticated buffalo, *Bubalus bubalis* of Asia and Africa, with large spreading horns.

water bug *n.* Any of various insects of wet places, esp. a large aquatic insect of the family Belostomatidae.

water cal-trop (kəl'trɒp) *n.* WATER CHESTNUT 1.

water chestnut *n.* 1. A floating aquatic Asian plant, *Trapa natans*, yielding four-pronged, nutlike fruit. 2. a. A Chinese sedge, *Eleocharis*

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• w abuse zh vision a about, item, edible, gallop, circus